



## EXECUTIVE DEPARTMENT

### PROCLAMATION NO. 62 KBB 2005

---

#### *CONVENING OF LEGISLATURE IN EXTRAORDINARY SESSION*

---

By virtue of the authority vested in me by Paragraph B of Section 2 of Article III of the Constitution of Louisiana, I, Kathleen Babineaux Blanco, Governor of the state of Louisiana, HEREBY CALL AND CONVENE THE LEGISLATURE OF LOUISIANA INTO EXTRAORDINARY SESSION to convene at the State Capitol, in the city of Baton Rouge, Louisiana, during 17 calendar days, beginning at 5:00 o'clock p.m. on the sixth day of November, 2005, and ending no later than 6:00 o'clock p.m. on the 22<sup>nd</sup> day of November, 2005. The power to legislate at such session shall be limited, under penalty of nullity, to the following specified enumerated objects:

**ITEM NO. 1**            To amend R.S. 49:213 *et seq.* and other related statutes to charge the wetlands authority with the duty of development and implementation of a comprehensive coastal and hurricane protection plan including reorganization of related functions of various departments, membership of the authority and the power to require plan implementation for the purpose of focusing state resources for the long-term safety and sustainability of our communities and economy.

**ITEM NO. 2**            To legislate for the consolidation, division, or reorganization of existing levee districts and creation of new levee districts.

- ITEM NO. 3** To propose an amendment to Article VII, Section 10.2 of the Constitution of Louisiana, to include hurricane protection as an authorized expenditure of the Wetlands Conservation and Restoration Fund and to amend Act 513 of the 2005 Regular Session of the Louisiana Legislature affecting the same Section.
- ITEM NO. 4** To legislate with respect to establishing a special statewide election date for the purpose of submitting constitutional amendments to the electors of the state.
- ITEM NO. 5** To legislate relative to state building or construction codes and the creation of a code commission.
- ITEM NO. 6** To legislate relative to reporting of the receipt of anything of value by an elected or appointed state or local official as a result of contracts or transactions funded in whole or in part by federal funds allocated for reimbursement of expenses arising as a result of a gubernatorially declared disaster or emergency.
- ITEM NO. 7** To legislate to suspend state sales taxes statewide for one day in December 2005.
- ITEM NO. 8** To legislate with respect to the transfer of schools to the jurisdiction of the Recovery School District; to provide for the authority of the school district regarding the operation and management of the schools; and to provide for the eligibility of a student to enroll in or attend a Type 5 charter school.
- ITEM NO. 9** To legislate for the creation of the crimes of price gouging or attempted price gouging, including the crime of conducting business without proper license or permit during a gubernatorially declared disaster or emergency.

- ITEM NO. 10** To legislate as to electronic public access to information on disaster recovery funding and contracting.
- ITEM NO. 11** To legislate that the Louisiana federal income tax deduction shall not be reduced by the amount of certain federal disaster relief tax credits.
- ITEM NO. 12** To legislate relative to penalties for failure to register as a sex offender.
- ITEM NO. 13** To legislate as to motor vehicles damaged as the result of a gubernatorially declared disaster or emergency.
- ITEM NO. 14** To legislate relative to unemployment insurance taxes and benefits to require that Procedure 3 of R.S. 23:1474(I) apply for calendar year 2006 for establishing the taxable wage base, the formula for computation of benefits, and the maximum weekly benefit amount.
- ITEM NO. 15** To legislate with respect to the manufacturing machinery and equipment sales tax exemption for hurricane damaged equipment.
- ITEM NO. 16** To legislate with respect to exemption from the corporate franchise tax for certain borrowed capital for corporations for extraordinary debt incurred as the result of a gubernatorially declared disaster and emergency of 2005.
- ITEM NO. 17** To legislate with respect to limiting the state sales and use tax paid on natural gas and electricity.
- ITEM NO. 18** To legislate relative to the effective date of the Healthcare Affordability Act, Act 182 of the 2005 Regular Session of the Louisiana Legislature.

- ITEM NO. 19** To legislate or to propose amendment to Article VII, Section 10.3 of the Constitution of Louisiana for any or all of the following purposes: to appropriate one-third of the monies in the Budget Stabilization Fund; to provide for authority to appropriate additional amounts from the Fund due to the effects of a gubernatorially declared disaster or emergency; and to provide for the maximum balance in the fund or funds.
- ITEM NO. 20** To legislate with respect to benefits provided through the Office of Group Benefits programs for employees who are furloughed or terminated as a result of the effects of Hurricanes Katrina or Rita and are subsequently re-employed by a participating employer.
- ITEM NO. 21** To legislate with regard to the contract limit for public works provided in R.S. 38:2212 for projects administered by the Office of Facility Planning and Control, Division of Administration, necessitated as a result of a gubernatorially declared disaster or emergency.
- ITEM NO. 22** To legislate to extend the deadline for preparation of the comprehensive annual financial report and the narrative report required by R.S. 39:80 for the Fiscal Year ending June 30, 2005.
- ITEM NO. 23** To legislate to suspend for 2005 the submission of annual reports by each undersecretary as required by R.S. 36:8(B).
- ITEM NO. 24** To legislate to extend the submission deadlines and suspend certain required contents for budget requests, strategic plans, and the executive budget and supporting document for the Fiscal Year 2006-2007.
- ITEM NO. 25** To legislate to suspend the requirement for preparation of the continuation budget as required by R.S. 39:29 for Fiscal Year 2006-2007.

- ITEM NO. 26** To legislate with respect to the Louisiana Geographic Information System; to provide for membership of the Louisiana Geographic Information Systems Council; to provide for duties of the council and its staff; and to provide for duties of the Louisiana Geographic Information Center.
- ITEM NO. 27** To legislate to create a fund or funds in the state treasury for the purpose of providing funding or other financial assistance for infrastructure costs related to disaster recovery; to provide for deposit into the fund or funds of certain monies, including non-recurring revenues resulting from the Fiscal Year 2004-2005; and to provide for uses of monies in the fund or funds.
- ITEM NO. 28** To authorize the state to incur debt or issue bonds to provide relief from the natural catastrophe caused by Hurricanes Katrina and Rita; to create funds for the deposit of such proceeds; and to provide for appropriation, use and distribution of such proceeds.
- ITEM NO. 29** To legislate with respect to the limitation on or exclusion from net state tax supported debt to provide for debt incurred or bonds issued by the state to provide relief from the natural catastrophe caused by Hurricanes Katrina and Rita.
- ITEM NO. 30** To legislate to provide for making supplemental appropriations and reductions for the ordinary operating expenses of state government for the Fiscal Year 2005-2006.
- ITEM NO. 31** To provide incentives for members of the Louisiana State Employees Retirement System to retire from state service.
- ITEM NO. 32** To legislate relative to the Unfair Trade Practices and Consumer Protection Law.

- ITEM NO. 33** To legislate with respect to the authority of the attorney general to issue cease and desist orders and take further actions during a gubernatorially declared disaster or emergency to protect the health, safety and welfare of Louisiana citizens.
- ITEM NO. 34** To legislate as to the unauthorized practice of law and to provide for penalties.
- ITEM NO. 35** To legislate with respect to prescription, peremption and other legal deadlines affected by Governor's Executive Order No. KBB 2005-32, as amended.
- ITEM NO. 36** To legislate with respect to the formula to determine the cost of a Minimum Foundation Program of education in all public elementary and secondary schools.
- ITEM NO. 37** To legislate relative to certain exemptions or waivers of statutory requirements for the Tuition Opportunity Program for Students (TOPS) as applied to certain displaced secondary school and TOPS eligible students for the academic year 05-06.
- ITEM NO. 38** To legislate relative to pupil-teacher ratios, maximum number of students in a classroom, number of instructional minutes per school day, number of instructional days per school year, number of days in a school session, required date by which school system budgets are adopted and submitted and by which the superintendent's financial report is due, and deadline for conducting pupil sight and hearing tests.
- ITEM NO. 39** To legislate relative to charter schools, to provide for the time line for application and approval, to provide for the number of instructional minutes per school day, instructional days per year, and number of days in a session, and to provide for the enrollment period.

- ITEM NO. 40** To legislate with respect to the manner and procedure of assessment of property and the collection of ad valorem taxes in the circumstance where property subject to ad valorem taxation has been damaged or destroyed during a gubernatorially declared disaster or emergency.
- ITEM NO. 41** To legislate by providing for the continuation of the homestead exemption and special assessments where the homestead has been destroyed or is uninhabitable due to a gubernatorially declared disaster or emergency and to provide for postponement and later collection of ad valorem taxes in parishes affected by natural disasters.
- ITEM NO. 42** To legislate with respect to deadlines in Title 47 of the Louisiana Revised Statutes of 1950 as to assessments and tax collections for property damaged by natural disasters.
- ITEM NO. 43** To legislate to authorize the Department of Health and Hospitals regarding licensing and the re-establishment of healthcare facilities in parishes affected by a gubernatorially declared disaster or emergency.
- ITEM NO. 44** To legislate relative to the domicile of the Vital Records Registry and relative to the proper venue for suits and actions against the registry.
- ITEM NO. 45** To legislate relative to the requirement that the Vital Records Registrar serve as the local registrar for Orleans Parish.
- ITEM NO. 46** To legislate relative to authorizing state agencies to utilize the design-build method for major reconstruction projects to address damage resulting from a gubernatorially declared disaster or emergency.
- ITEM NO. 47** To legislate relative to the content of the petition for expropriation for road projects by the Department of Transportation and Development and relative to the information which must be annexed to a petition for expropriation.

- ITEM NO. 48** To legislate relative to amount of time in which an oyster lessee is required to pay lease rentals.
- ITEM NO. 49** To legislate relative to R.S. 47:1508 to authorize the Department of Revenue to release to Louisiana taxpayers their income tax information filed by third parties.
- ITEM NO. 50** To suspend or legislate relative to the required number of live racing days under R.S. 4:214.1 and R.S. 27:351 *et seq.* and the authority of the Louisiana State Racing Commission to approve additional races or race days and locations and address issues related to proceeds from operations and purse supplements all made necessary as the direct result of damage to an existing facility resulting from a gubernatorially declared disaster or emergency.
- ITEM NO. 51** To legislate relative to suspension of the performance of obligations due to the cause of impracticability or an excessively onerous burden.
- ITEM NO. 52** To legislate relative to removal and preservation of lessee property by the lessor during a gubernatorially declared disaster or emergency.
- ITEM NO. 53** To legislate relative to requiring flood insurers to notify insured of coverage limits and of duty to mitigate damages due to flooding.
- ITEM NO. 54** To legislate providing for placement of insurance policy settlement funds in an interest earning escrow account.
- ITEM NO. 55** To legislate in Title 22 of the Louisiana Revised Statutes of 1950 to require insurers offering property insurance, including homeowners coverage, in any area of the state to offer such insurance throughout the state.
- ITEM NO. 56** To legislate relative to suspending the provisions of law relative to the annual canvass of voters.
- ITEM NO. 57** To legislate relative to the eventuality of a shortage of available commissioners and commissioners in charge, authorizing persons who are qualified electors of the state to serve



as commissioners in charge and commissioners, and to provide for training and selection of such persons.

**ITEM NO. 58** To legislate as to the holding of elections impaired as the result of a gubernatorially declared disaster or emergency.

**ITEM NO. 59** To legislate relative to allowing certain public employees to take in-service distributions from their Deferred Retirement Option Plan accounts for employees who experienced significant loss as a result of a gubernatorially declared disaster or emergency.

**ITEM NO. 60** To legislate with respect to an extension of time for certain governmental entities to prepare certain financial documents in the event of a gubernatorially declared disaster or emergency.

**ITEM NO. 61** To legislate with respect to authorizing the chief executive officer of certain political subdivisions, city, parish or local public school systems to reduce the salaries of employees as the result of a gubernatorially declared disaster or emergency.

**ITEM NO. 62** To legislate relative to payment of certain expenses related to the legislative offices of certain temporarily displaced legislators.

**ITEM NO. 63** To amend Title 9 of the Louisiana Revised Statutes of 1950 relative to child support; to provide for the definition of income; to provide for involuntary unemployment or underemployment; to provide an exception to the mandatory minimum; and to provide for retroactivity of support judgments.

**ITEM NO. 64** To legislate relative to the definition of public purpose to recognize restoration and rebuilding of utilities damaged as a result of a declared emergency or disaster as a valid public purpose.

**ITEM NO. 65** To legislate relative to allowing certain public employees furloughed as the result of a gubernatorially declared disaster or emergency at their own costs to continue eligibility

to earn retirement service credit and to maintain coverage under Office of Group Benefits programs.

**ITEM NO. 66** To legislate relative to procedure to set aside criminal bond forfeitures due to the effects of a gubernatorially declared disaster or emergency of 2005.

**ITEM NO. 67** To legislate relative to effective date of Act 169 of the 2005 Regular Session of the Louisiana Legislature providing for the recordation of mortgage and conveyance documents.

**ITEM NO. 68** To legislate relative to each clerk of court, recorder of mortgages, or registrar of conveyances establishing an ancillary office in or out of the parish in times of a gubernatorially declared disaster or emergency.

**ITEM NO. 69** To legislate relative to limitation of liability of law enforcement agencies, law enforcement officers, or corrections officers due to the detention of persons in parish prisons or local jails as a result of a gubernatorially declared disaster or emergency.

**ITEM NO. 70** To legislate relative to payment of costs of medical care for prisoners transferred to a parish or local jail as a result of a gubernatorially declared disaster or emergency.

**ITEM NO. 71** To legislate relative to procedures for the continuation of the criminal justice system during a declared disaster or emergency, and to provide for venue and jurisdiction of criminal prosecutions, proceedings, and habeas corpus petitions.

**ITEM NO. 72** To legislate relative to the duty of insurers to itemize the coverages or claims which are included in payments made to the insured.

**ITEM NO. 73** To legislate relative to waiver of interest due on delinquent contributions to state and statewide retirement systems during a gubernatorially declared disaster or emergency.

**ITEM NO. 74** To legislate relative to the exemption from the payment of hotel occupancy taxes for hotel rooms rented in excess of thirty days.

- ITEM NO. 75** To legislate for the extension of investment deadlines under the Capital Companies Tax Credit Program made necessary as the result of a gubernatorially declared disaster or emergency in 2005.
- ITEM NO. 76** To legislate relative to the emergency powers of the commissioner of the Office of Financial Institutions relative to non-depository institutions.
- ITEM NO. 77** To legislate or otherwise authorize Louisiana Community Development Financial Institutions under the Louisiana Community Development Financial Institutions Act to include investments in low income communities in areas affected by Hurricanes Katrina and Rita.

**IN WITNESS WHEREOF**, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 31st day of October, 2005.



**ATTEST BY  
THE GOVERNOR**

s/s Kathleen Babineaux Blanco  
**GOVERNOR OF LOUISIANA**

s/s Al Ater  
**SECRETARY OF STATE**